

FIRST REGULAR SESSION

HOUSE BILL NO. 203

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES REIBOLDT (Sponsor), LANT,
KELLEY (127) AND SPENCER (Co-sponsors).

0658H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to certain disclosures on credit card processing service contracts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.1400, to read as follows:

407.1400. 1. (1) Any person or entity that offers a credit card processing service in this state shall disclose the following information on any contract or agreement to render a credit card processing service:

(a) The effective date of the contract;

(b) The term of the contract;

(c) The amount of any monthly minimum fee or charge for the credit card processing service; and

(d) The amount of any fee or charge for terminating the contract or agreement.

(2) The disclosures required in subdivision (1) of this subsection and any other terms and conditions pertaining to the use of the credit card processing service shall be printed in eight-point font at a minimum.

2. (1) A person or entity that offers a credit card processing service in this state shall not charge:

(a) A fee of more than fifty dollars for terminating a contract for credit card processing service; or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (b) A monthly minimum fee under a credit card processing service contract for
17 more than one month after the credit card processing service contract is terminated.

18 (2) Equipment rentals or lease purchase payments charged by a person or entity
19 that offers a credit card processing service shall not be considered to be fees for the
20 purpose of this section.

21 3. (1) A violation of the provisions of this section by any person or entity providing
22 credit card processing service shall constitute an unfair and deceptive act or practice under
23 this chapter.

24 (2) Nothing in this section shall limit the rights or remedies that are otherwise
25 available to a person or an entity that has contracted with a credit card processing service.

26 (3) The obligations under this section are cumulative and do not limit the
27 obligations imposed under any other state or federal law.

28 (4) The provisions under this subsection and subsections 1 and 2 of this section
29 shall not apply to:

30 (a) A state bank or a state savings association that offers a credit card processing
31 service; or

32 (b) A national bank or a national savings association that offers a credit card
33 processing service; or

34 (c) The parent, affiliate, or subsidiary of any bank or savings association that offers
35 a credit card processing service.

36 4. (1) Nothing contained in this section shall affect the jurisdiction of state or
37 federal bank regulators over regulations of credit card processing services provided by
38 state or national banks.

39 (2) The provisions of this section shall only apply to new contracts entered into
40 after August 28, 2013.

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